

Mafia Flap Boosts Bugging in N.J.

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New Jersey is ripe for wiretapping and bugging legislation in 1969.

Such legislation may be one product of recent charges by Assistant Attorney General William J. Brennan III that some members of the State Legislature are "entirely too comfortable with members of organized crime."

Brennan, 35-year-old son of the Supreme Court Justice, has become a wiretap advocate in his role as head of a grand jury investigation of organized crime.

He favors strict safeguards and court supervision, but his dedication to wiretapping and bugging as a crime-fighting tool has developed since he became directly involved in probing underworld activities.

"I was a real civil liber-

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tarian" when the investigation began, he said.

New Jersey is one of several key states in which legislatures will debate the issue. Federal legislation, the 1968 Crime Control Act, opened the way by giving Federal agents bugging power and inviting State Legislatures to follow suit with statutes to their own.

New York has re-enacted and patched up a wiretap-bugging law that was struck down as too broad by the U.S. Supreme Court in 1967. Massachusetts has a wiretap law. Pennsylvania and Illinois will deal with the issue in 1969.

The New Jersey Legislature narrowly defeated a wiretap law this year. The new legislative session may restrict its subsequently passed eavesdrop bill by per-

mitting only the State Police to tap wires and plant microphones on warrants applied for by the Attorney General.

But what is expected to put the eavesdrop measure over the top with the Legislature is Brennan's off-hand remark in a Dec. 11 speech that some legislators are cozy with the Mafia.

Within days, five agencies, including a Federal strike force, were investigating the charges. Three legislators were named and vehemently denied any wrongdoing.

The person most embarrassed by the uproar that has shaken the State and taken on political overtones was Brennan himself. And it has set back any investigation of organized crime.

As Brennan ruefully testified on Monday before a hastily called legislative committee, the uproar has set against each other offi-

cials who should be engaged in a unified attack on crime. Brennan appeared before the committee in closed session today.

Throughout the controversy, Brennan has maintained that he was not presenting evidence about the legislators, merely "intelligence" or investigatory information.

And there is little doubt that some of this "intelligence" came via the wiretap route.

But his statements about the legislators set the stage nicely for new wiretap laws.

As one high Republican in the GOP-controlled Legislature said, "Who's going to vote against the bill when he'll be labeled as 'comfortable with organized crime'?"

It may have been prophetic that Brennan's Dec. 11 speech, where his allegations first were made, was in support of State eavesdrop laws.